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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,975	03/30/2004	Kazumasa Makino	119306	2989
25944	7590	09/20/2005	EXAMINER	
OLIFF & BERRIDGE, PLC			VERBITSKY, GAIL KAPLAN	
P.O. BOX 19928			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22320			2859	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/811,975

Applicant(s)

MAKINO, KAZUMASA

Examiner

Gail Verbitsky

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10 and 12-22 is/are rejected.
- 7) ☒ Claim(s) 2 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/30/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: attachments ##1, 2.

DETAILED ACTION

Claim Objections

1. Claims 1, 3 are objected to because of the following informalities:

Claim 1: perhaps applicant should insert –storage—before “frame” in the very last line of claim 1.

Claim 3: “the storage frame” in line 3 lacks antecedent basis. It is not clear which one storage frame applicant means, the first or the second? Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-6, 8-10, 12-16, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima et al. (U.S. 6308947) [hereinafter Kojima] in view of Yamamoto (U.S. 6185388).

Kojima discloses in Figs. 2, 4, 9 an image forming unit comprising an image forming device (portion) 3 that forms an image on a recording medium (paper) delivered from a storage/ feeding/ paper tray 32, inherently, attached to the image forming unit, a feeding roller (first guide member) 24, a paper supply roller 19 that makes contact of the recording medium and feeds it into a contact with the image forming device 3, with a device frame A supporting the image forming device and located at its bottom (as

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opposed to locating in a cover), a first storage frame B attached (connected) to the device frame A by means of a first attaching (connecting) means C (34). (The numerals A-C have been added by the Examiner, see attachment # 1 to the Office Action). The device, inherently, has a cover portion.

Kojima does not explicitly teach that the image forming device 3 is located at the bottom of the image forming unit 1, and does not teach a second storage tray with a second capacity different from a first tray capacity, with the remaining limitations of claims.

Yamamoto discloses in Fig. 1 an image forming unit in the field of applicant endeavor comprising an image forming device located in a lower (bottom) portion of the unit more than one storage tray and more than one corresponding guide member (feeding roller 8b). Trays are of different (first and second) capacity.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device/ unit, disclosed by Kojima, so as to have more than one storage tray and make them of different capacity, as taught by Yamamoto, so as to allow the operator to produce image of different size, as very well known in the art.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3-10, 12-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al. ((U.S. 6123329) [hereinafter Sato].

Sato discloses in Fig. 2 an image forming unit comprising an image forming device (portion) A that forms an image on a recording medium (paper) delivered from a storage/ feeding/ paper trays P1-P3 of different capacity, first, second (and third) feeding members 60, a device frame B supporting the image forming device and located at its bottom (as opposed to locating in a cover), (a plurality) a first storage frame C and a second storage frame D are attached (connected) to the device frame B by means of a first attaching (connecting) means 11 and a second attaching (connecting) means 9, the attaching means located on protrusion means E, F of the device frame B. As shown in Fig. 2, the protrusion means E, F are inserted into the storage frames C and D. This would imply, that the storage frames C and D have openings/ holes for such an attachment. The device has a cover whose length is substantially equal to the length of the frame. There is a paper supply roller 50, 57 to supply the recording medium in contact with the image forming device. (The numerals A-F have been added by the Examiner, see attachment # 2 to the Office Action).

Allowable Subject Matter

6. Claims 2, 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 and not mentioned above disclose related devices and methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gail Verbitsky whose telephone number is 571/ 272-2253. The examiner can normally be reached on 7:30 to 4:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on 571/ 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

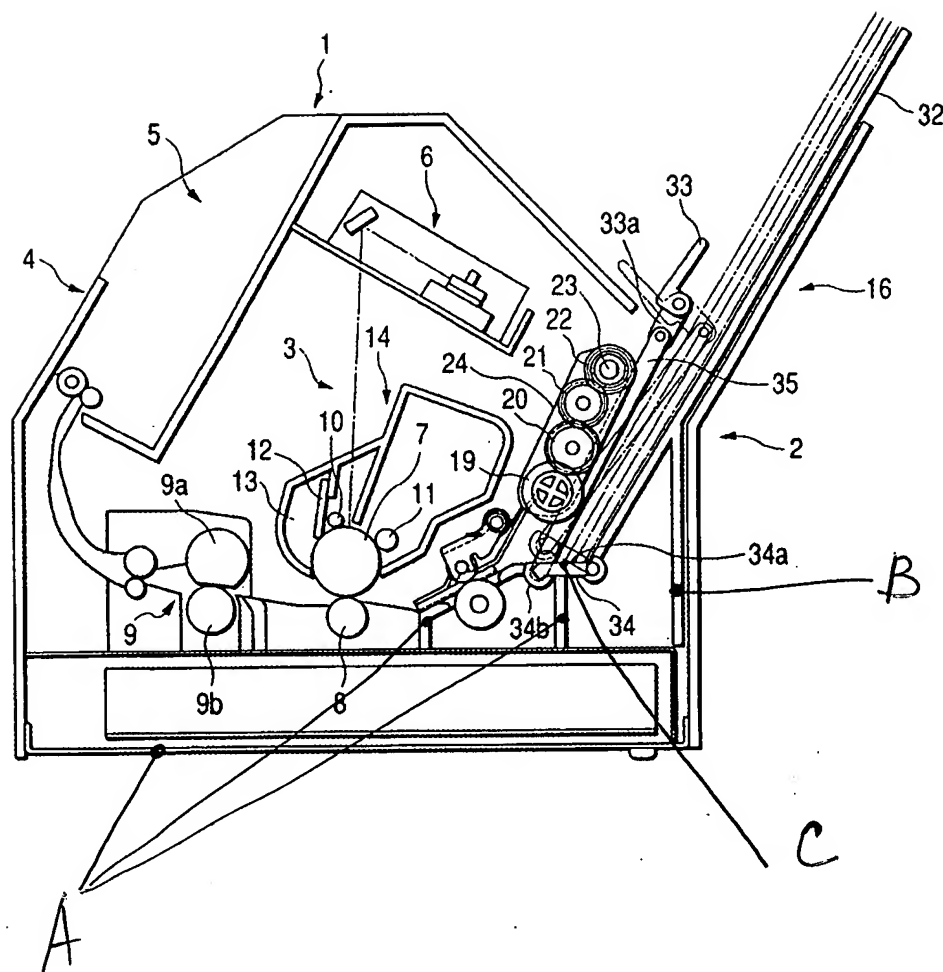
GKV

Gail Verbitsky
Primary Patent Examiner, TC 2800



September 14, 2005

FIG. 2



attachment #1
(09/14/05)

Sato

10811375

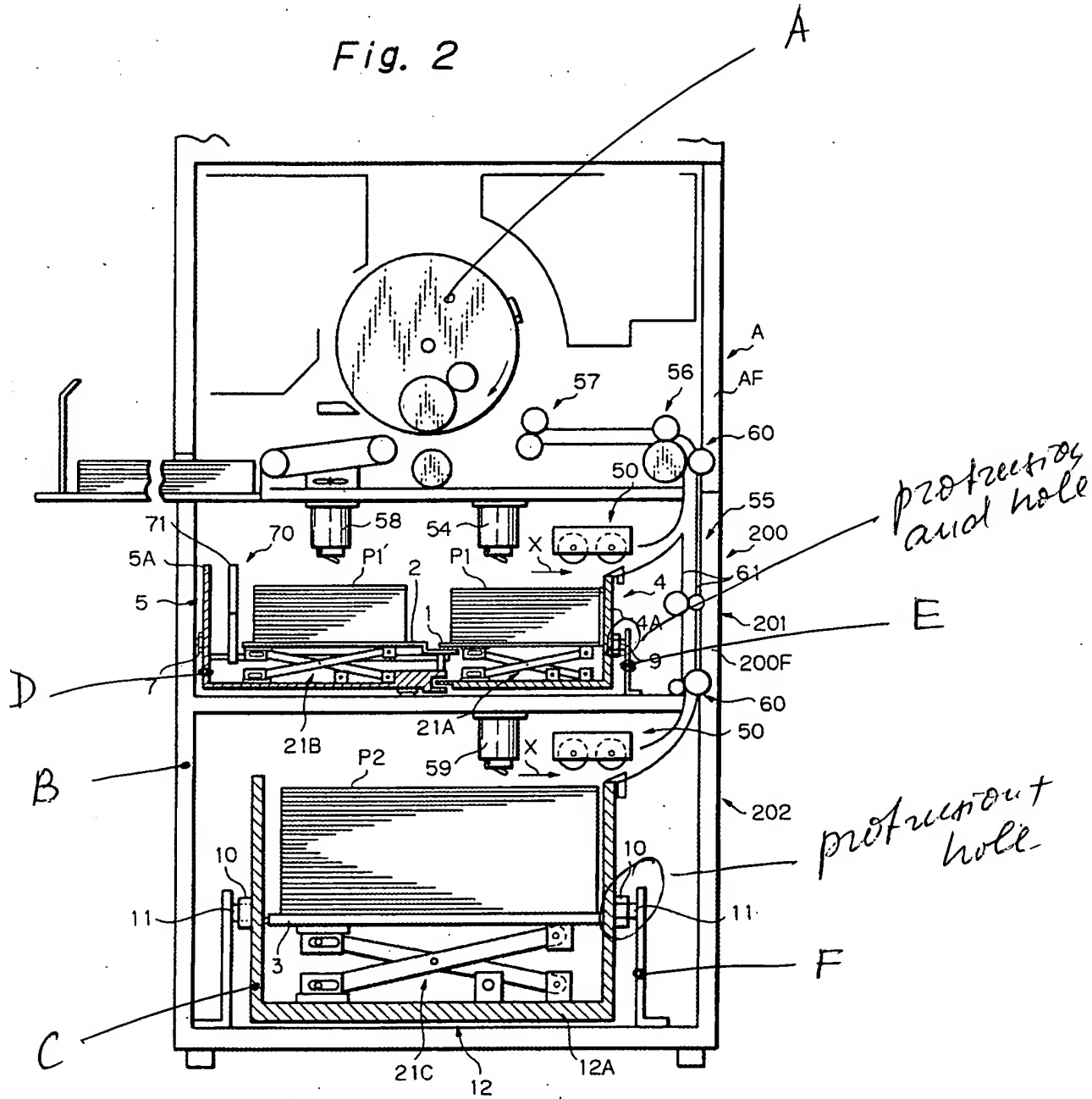
U.S. Patent

Sep. 26, 2000

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Fig. 2



attachment # 2
(09/14/05)